

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

IN RE YASMIN AND YAZ (DROSPIRENONE)
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION

) 3:09-md-02100-DRH-PMF

) MDL No. 2100

) ORDER

This Document Relates to:

ALL CASES

CASE MANAGEMENT ORDER NUMBER 57
Procedure for Filing Qualified Settlement Fund Motions

HERNDON, Chief Judge:

The following procedure shall be followed when filing motions to establish a qualified settlement fund for one or more plaintiffs:

The motion to establish a qualified settlement fund shall be filed in the relevant member action only and not in the Master Case file. If the motion to establish a qualified settlement fund applies to more than one plaintiff, the following procedure shall be followed:

- 1) The motion shall be filed in one and only one of the relevant member actions;
- 2) The motion shall include a "Related Cases Exhibit" identifying all of the relevant member actions;

3) The caption of the motion shall identify the member action in which the motion is being filed and shall indicate that the motion is also applicable to the member actions identified in the “Related Cases Exhibit.”

For example, assume counsel intends to establish a qualified settlement fund for the following three member actions: (1) *Jane Doe v. Bayer Healthcare Pharmaceuticals Inc. et al.* No. 3:09-cv-XX1; (2) *Lynn Doe v. Bayer Healthcare Pharmaceuticals Inc. et al.* No. 3:09-cv-XX2; and (3) *Jennifer Doe v. Bayer Healthcare Pharmaceuticals Inc. et al.* No. 3:09-cv-XX3.

The motion for establishment of a qualified settlement fund should be filed in one of the three member actions. Assuming counsel chooses to file the motion in *Jane Doe v. Bayer Healthcare Pharmaceuticals Inc. et al.* No. 3:09-cv-XX1, the motion would bear the following caption:

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MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION)

) 3:09-md-02100-DRH-PMF

) MDL No. 2100

) Motion to Establish Qualified
Settlement Fund

This Document Relates to:

*Jane Doe v. Bayer
Healthcare Pharmaceuticals Inc. et al.*

No. 3:09-cv-XX1

And Related Cases (See Exhibit 1)

The "Related Cases Exhibit" (Exhibit 1) shall then identify the three individual cases to which the motion pertains. *i.e.* (1) *Jane Doe v. Bayer Healthcare Pharmaceuticals Inc. et al.* No. 3:09-cv-XX1; (2) *Lynn Doe v. Bayer Healthcare Pharmaceuticals Inc. et al.* No. 3:09-cv-XX2; and (3) *Jennifer Doe v. Bayer Healthcare Pharmaceuticals Inc. et al.* No. 3:09-cv-XX3.

SO ORDERED:


 Digitally signed by
David R. Herndon
Date: 2012.08.10
15:38:59 -05'00'

Chief Judge
United States District Court

Date: August 10, 2012